



PUBLIC NOTICE

Federal Communications Commission
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Report No. 2963

September 28, 2012

CONSUMER & GOVERNMENTAL AFFAIRS BUREAU
REFERENCE INFORMATION CENTER
PETITION FOR RULEMAKINGS FILED

Interested persons may file statements opposing or supporting the Petition for Rulemakings listed herein within 30 days, or as noted. See Sections 1.4 and 1.405 of the Commission's rules for further information.

RM NO.	RULES SEC.	PETITIONER	DATE RECEIVED	NATURE OF PETITION
11679*	73.202(b)	Roy E. Henderson (John C. Trent, Esq. Putbrese Hunsaker & Trent 200 S. Church Street Woodbridge, VA 22664)	05/11/2012	Roy E. Henderson filed a counterproposal proposing: (1) the allotment of Channel 233A at Oakwood, Texas, as the community's first local service; (2) a city of license modification for Station KTWL(FM), Channel 287C3 from Hempstead, Texas, to Todd Mission, Texas, as the community's first local service; (3) a city of license modification for Station KLTR(FM) from Channel 231C3 at Brenham, Texas, to Channel 231C2 at Hempstead, Texas, to prevent removal of Hempstead's sole local service; and (4) the substitution of Channel 232A for vacant Channel 288A at Lovelady, Texas. Pursuant to the Note of Section 73.208(a)(3) of the Commission's Rules, we hereby request that Henderson file an amendment to the counterproposal to protect the authorization of Station KAGZ(FM), File No. BPH-20120521BEQ, within 15 days from the release date of this Public Notice. In compliance with Section 73.208(a)(1)(i), the proposed allotment of Channel 232A at Lovelady must protect the pending "cut-off" application for Station KAGZ(FM). In addition, new proposals in the proceeding cannot be introduced during the reply comment period as a method of resolving the conflict. Additionally, Henderson is required to make a showing that, at the time he filed the counterproposal, he did not know, and could not have known by exercising due diligence, of the pendency of the conflicting Station KAGZ(FM) "cut-off" application.

THE ABOVE PETITION FOR RULEMAKING WILL BE TREATED AS A COUNTERPROPOSAL IN MB DOCKET NO. 12-92. REPLY COMMENTS TO THE COUNTERPROPOSAL SHOULD BE SUBMITTED IN THIS DOCKET NO LATER THAN 15 DAYS (RATHER THAN 30 DAYS) AFTER THE DATE OF THIS PUBLIC NOTICE.